

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION**

**JARRELL DAVIS TERRY  
ADC #149998**

**PLAINTIFF**

**v.**

**No. 2:18-cv-110-DPM-JJV**

**PATRICK DRUMMOND, APN, EARU/CCS;  
ANGELA MIXON, RN, EARU/CCS; and  
AMANDA STEINBARGAR, LPN, EARU/CCS**

**DEFENDANTS**

**ORDER**

1. On *de novo* review, the Court adopts Magistrate Judge Volpe's recommendation, *No* 37, and overrules Terry's objections, *No* 46. FED. R. CIV. P. 72(b)(3). Motion to dismiss and renewed motion to dismiss, *No* 8 & *No* 48, granted. Terry's claims against Drummond and Steinbargar are dismissed without prejudice.

2. The Court has received signed forms from the parties consenting to Magistrate Judge Volpe's handling the remainder of this case. FED. R. CIV. P. 73. The Court therefore declines the other pending partial recommendation, *No* 45, as moot. After the Court signs and files the consent paperwork, Magistrate Judge Volpe will handle the underlying motion for partial summary judgment without the need for a recommendation.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

15 November 2018